

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

TULLER et al.

Serial Number: Filed herewith

Filed:

Filed here with

For:

ABDOMINAL EXERCISE MACHINE

Assistant Commissioner for Patents Washington, D.C. 20231 **BOX PATENT APPLICATION**

CERTIFICATE OF MAILING BY EXPRESS MAIL

Express Mailing Label No. EL 780732712 Deposited: August 6, 2001

DEL 78073277502

Dear Sir or Madam:

Enclosed herewith are the following:

- 1. Patent Application Transmittal Letter (1 page);
- Fee Transmittal (2 copies, 1 page each) 2.
- Check No. 21287 in the amount of \$691.00 for filing fees; 3.
- Patent Application (13 specification pages, 8 pages of claims, 1-page 4. abstract, and 10 drawing pages, for a total of 32 pages);
- Verified Statement Claiming Small Entity Status Small Business 5. Concern (2 pages);
 - Request for Use of Customer Number (1 page); 6.

- 7. Petition to Make Special (8 pages);
- 8. Information Disclosure Statement (2 pages) with Information Disclosure Citation (2 pages) and 20 patent references; and
 - 9. Acknowledgment Postcard.

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R., Section 1.10, on the date indicated above and is addressed to:

Assistant Commissioner for Patents Washington, D.C. 20231 BOX PATENT APPLICATION

Respectfully submitted,

CISLO & THOMAS LLP

Date: August 6^{-} , 2001

Matthew J. Cohen Reg. No. 42,426

CISLO & THOMAS LLP 233 Wilshire Boulevard, Suite 900 Santa Monica, California 90401-1211

Tel: (310) 451-0647 Fax: (310) 394-4477 www.cislo.com

DMC/MJC/jc

Enclosures

As listed above

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: TULLER et al.

Serial Number:

Filed herewith

Examiner:

Not yet assigned

Filed:

Filed herewith

Art Unit:

Not yet assigned

For:

ABDOMINAL EXERCISE MACHINE

BOX PATENT APPLICATION

Assistant Commissioner for Patents Washington, D.C. 20231

REQUEST FOR USE OF CUSTOMER NUMBER

Dear Sir or Madam:

Applicants' representative has the following customer number lodged with the Patent Office:

25,189

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PATENT TRADEMARK OFFICE

The Office is respectfully requested to use this customer number (the bar code for which is above) for correspondence purposes as well as for online access via the PAIR system with respect to the present application.

Respectfully submitted,

CISLO & THOMAS LLP

Date: August 4, 2001

Daniel M. Cislo

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Tel: (310) 451-0647 Fax: (310) 394-4477 www.cislo.com

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PTO/SB/05 (11-00)

Approved for use through 10/31/2002. OMB 0651-0032

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UTILITY PATENT APPLICATION **TRANSMITTAL**

Attorney Docket No. 01-9343

First Inventor Jeffrey Todd Tuller

ABDOMINAL EXERCISE MACHINE

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Express Mail Label No. EL 780732712 US

APPLICATION ELEMENTS See MPEP chapter 600 concerning utility patent application contents.	ADDRESS TO: Assistant Commissioner for Patents Box Patent Application Washington, DC 20231					
Foo Transmittel Form (p.g. PTO/SP/17)	7. CD-ROM or CD-R in duplicate, large table or					
1. (Submit an original and a duplicate for fee processing)	Computer Program (Appendix)					
2. Applicant claims small entity status. See 37 CFR 1.27.	Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)					
Specification [Total Pages 22]] 3. X Specification [Total Pages 22]	a. Computer Readable Form (CRF)					
- Descriptive title of the invention	b. Specification Sequence Listing on:					
- Cross Reference to Related Applications - Statement Regarding Fed sponsored R & D	i. CD-ROM or CD-R (2 copies); or					
- Reference to sequence listing, a table,	ii. paper					
or a computer program listing appendix - Background of the Invention	c. Statements verifying identity of above copies					
- Brief Summary of the Invention	ACCOMPANYING APPLICATION PARTS					
Brief Description of the Drawings (if filed) Detailed Description	9. Assignment Papers (cover sheet & document(s))					
- Claim(s)	37 CFR 3.73(b) Statement Power of					
- Abstract of the Disclosure	10. (when there is an assignee) Attorney					
4. X Drawing(s) (35 U.S.C. 113) [Total Sheets 10]	11. English Translation Document (if applicable)					
	12. X Information Disclosure X Copies of IDS Citations					
	Statement (IDS)/PTO-1449 — Ortations					
a. Newly executed (original or copy) Copy from a prior application (37 CFR 1.63 (d))	13. Preliminary Amendment Return Receipt Postcard (MPEP 503)					
b. (for continuation/divisional with Box 18 completed)	(Should be specifically itemized)					
i. DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s)	15. Certified Copy of Priority Document(s) (if foreign priority is claimed)					
named in the prior application, see 37 CFR	16. Request and Certification under 35 U.S.C. 122					
1.63(d)(2) and 1.33(b).	(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.					
6. Application Data Sheet. See 37 CFR 1.76	17. X Other: Petition to Make Special					
M. CONTINUES APPLICATION of the second control of the second contr	71					
18. If a CONTINUING APPLICATION, check appropriate box, and supply or in an Application Data Sheet under 37 CFR 1.76:	the requisite information below and in a preliminary amendment,					
Continuation Divisional Continuation-in-part (CIP) of prior application No.:/						
Prior application information: Examiner	Group Art Unit:					
For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the	orior application, from which an oath or declaration is supplied under					
Box 5b, is considered a part of the disclosure of the accompanying continual. The incorporation can only be relied upon when a portion has been inadverted.	ntly omitted from the submitted application parts.					
19. CORRESPONDEN						
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	Posistration No. (Attornov/Agent) 22 272					
Name (Print/Type) Daniel Cislo	Registration No. (Attorney/Agent) 32,973					
Signature	Date 8/6/01					

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FEE TRANSMITTAL	C mpl te if Known	
	Application Number	
for FY 2000	Filing Date	
Patent fees are subject to annual revision.	First Named Inventor	Jeffrey Todd Tuller
Small Entity payments <u>must</u> be supported by a small entity statement, otherwise large entity fees must be paid. See Forms PTO/SB/09-12.	Examiner Name	
See 37 C.F.R. §§ 1.27 and 1.28.	Group / Art Unit	
TOTAL AMOUNT OF PAYMENT (\$)691.00	Attorney Docket No.	01-9343

METHOD OF PAYMENT (check one)	FEE CALCULATION (continued)			
The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to: Deposit	3. ADDITIONAL FEES Large Entity Small Entity Fee	Fee Paid		
Account Number 03-2030	105 130 205 65 Surcharge - late filing fee or oath	0.00		
Deposit	127 50 227 25 Surcharge - late provisional filing fee or	0.00		
Account Name Cislo & Thomas, LLP	cover sheet.	0.00		
- Additional Sec Persiand	139 130 139 130 Non-English specification 147 2 520 147 2 520 For filing a request for reexamination	0.00		
Under 37 CFR §§ 1.16 and 1.17	147 2,520 147 2,520 For filing a request for reexamination 112 920* 112 920* Requesting publication of SIR prior to			
2. X Payment Enclosed:	Examiner action	0.00		
Check Money Other	113 1,840* 113 1,840* Requesting publication of SIR after Examiner action	0.00		
FEE CALCULATION	115 110 215 55 Extension for reply within first month	0.00		
1. BASIC FILING FEE	116 380 216 190 Extension for reply within second month	0.00		
Large Entity Small Entity	117 870 217 435 Extension for reply within third month 118 1.360 218 680 Extension for reply within fourth month	0.00		
Fee Fee Fee Fee Description Code (\$) Code (\$) Fee Paid		0.00		
101 690 201 345 Utility filing fee 355.00	Netice of Appeal	0.00		
106 310 206 155 Design filing fee	119 300 219 150 Notice of Appeal 120 300 220 150 Filing a brief in support of an appeal	0.00		
107 480 207 240 Plant filing fee	121 260 221 130 Request for oral hearing	0.00		
108 690 208 345 Reissue filing fee	138 1,510 138 1,510 Petition to institute a public use proceeding	0.00		
114 150 214 75 Provisional filing fee	140 110 240 55 Petition to revive - unavoidable	0.00		
SUBTOTAL (1) (\$) 355.00	141 1,210 241 605 Petition to revive - unintentional	0.00		
2. EXTRA CLAIM FEES	142 1,210 242 605 Utility issue fee (or reissue)	0.00		
Fee from Ext <u>ra Claims below Fee Pald</u>	143 430 243 215 Design issue fee	0.00		
Total Claims 34 -20** = 14 × 9 = 126 Independent 5 - 3** = 2 × 40 = 80		0.00		
Claims — — —	122 130 122 130 Petitions to the Commissioner 123 50 123 50 Petitions related to provisional applications	130.00		
Multiple Dependent *or number previously paid, if greater, For Reissues, see below	126 240 126 240 Submission of Information Disclosure Stmt	0.00		
Large Entity Small Entity	504 40 504 40	0.00		
Fee Fee Fee Fee Description Code (\$) Code (\$)	Recording each patent assignment per property (times number of properties)	0.00		
103 18 203 9 Claims in excess of 20	146 690 246 345 Filing a submission after final rejection (37 CFR § 1.129(a))	0.00		
102 78 202 39 Independent claims in excess of 3	149 690 249 345 For each additional invention to be			
104 260 204 130 Multiple dependent claim, if not paid	examined (37 CFR § 1.129(b))	0.00		
109 78 209 39 ** Reissue independent daims over original patent	Other fee (specify)	0.00		
110 18 210 9 ** Reissue claims in excess of 20 and over original patent	Other fee (specify)	0.00		
SUBTOTAL (2) (\$) 206.00	'Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$) 13	0.00		
SUBMITTED BY	Complete (if applicable)			
Name (Print/Type) Daniel M. Cislo	Registration No. (Attorney/Agent) 32,973 Telephone 1-310-45	1-0647		
Signature	Date 8/6/	01		

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UTILITY APPLICATION

OF

JEFFREY TODD TULLER, NEAL PATRICK BARNES AND ROSS AUSTIN MACKERT

FOR

UNITED STATES PATENT

ON

ABDOMINAL EXERCISE MACHINE

Docket Number:

01-9343

Sheets of Drawings:

TEN (10)

Sheets of Written Description:

TWENTY-TWO (22)

Express Mail Label Number:

EL780732712US

Attorneys
CISLO & THOMAS LLP
233 Wilshire Boulevard, Suite 900

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